

A. G. Contract No. KR892129TRD
ECS File: JPA-89-118
City of Phoenix File: 56194
Project: Advance Guide Sign
Number: RAM-600-5-506/H0859 04C
Section: I-10/E. Papago/Squaw
Peak Interchange

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
CITY OF PHOENIX

THIS AGREEMENT is entered into 08 August, 1990,
pursuant to Arizona Revised Statutes, Sections 11-951 through
11-954, as amended, between the STATE OF ARIZONA, acting by and
through its DEPARTMENT OF TRANSPORTATION (the "State") and the
CITY OF PHOENIX, acting by and through its City Council (the
"City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes
Section 28-108 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has delegated
to the undersigned the authority to execute this agreement on
behalf of the State.

2. The City is empowered by Arizona Revised Statutes
Section 48-572 and City Charter Chapter 2, Section 2 to enter
into this agreement and has by resolution, a copy of which is
attached hereto and made a part hereof, resolved to enter into
this agreement and has authorized the undersigned to execute
this agreement on behalf of the City.

3. State and City desire to install an advance guide
highway sign on the Squaw Peak Parkway (SR 51) just north of
its intersection with Thomas Road for the benefit of the
southbound motoring public.

THEREFORE, in consideration of the mutual agreements expressed
herein, it is agreed as follows:

NO. <u>15038</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>8/3/90</u>
<u>Jim Shumway</u> Secretary of State
By <u>Vince V. Greenewald</u>

II. SCOPE OF WORK

1. City will:

a. Accomplish design, call for bids and award one or more construction contracts for the installation of the sign, at an estimated price of \$63,632.54.

b. Administer construction and inspect and accept the sign upon completion of the construction.

c. Maintain the sign upon acceptance.

d. Be responsible for any contractor claims for extra compensation due to delays or whatever reason attributable by State to City.

2. State will:

a. Review the sign design documents and provide comments as appropriate.

b. Reimburse the City the actual cost of the design and construction of the sign, in an amount not to exceed \$63,633.00

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said payment; provided, however, that this agreement, except any provisions herein for maintenance, which shall be perpetual, may be cancelled at any time prior to the award of a construction contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518(B) and (C).

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Engineering Consultants Services
205 South 17 Avenue, Room 118E
Phoenix, AZ 85007

City Manager
251 W. Washington Street
Phoenix, AZ 85003

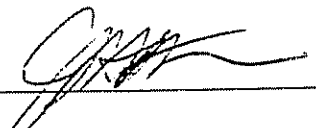
7. Attached hereto and incorporated herein is a copy of the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

CITY OF PHOENIX, a Municipal
Corporation, Marvin A. Andrews,
City Manager

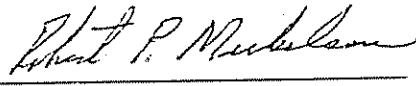
STATE OF ARIZONA
Department of Transportation

By



Street Transportation Director
Title

By



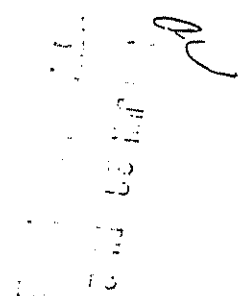
ROBERT P. MICKELSON
Deputy State Engineer

Attest



CITY CLERK

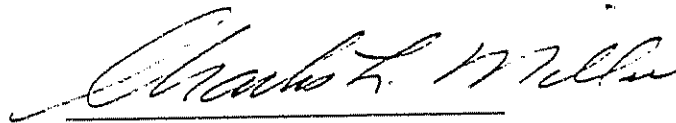
2250j
31AUG


JUL 31 1989
10:00 AM
JUL 31 1989

RESOLUTION

BE IT RESOLVED on this 30th day of August 1989, that I, CHARLES L. MILLER, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with the City of Phoenix for the purpose of defining responsibilities for the designing and installing of an advance guide sign on the Squaw Peak Parkway near Thomas Road.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted for approval and execution by the Deputy State Engineer.

A handwritten signature in cursive script, reading "Charles L. Miller", written in dark ink.

CHARLES L. MILLER, Director
Arizona Department of
Transportation

RESOLUTION NO. 17707

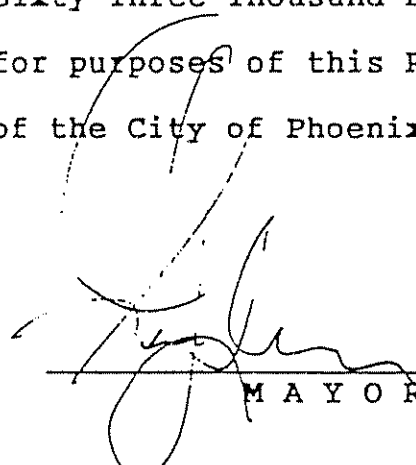
A RESOLUTION AUTHORIZING THE CITY
MANAGER TO ENTER INTO AN INTERGOVERN-
MENTAL AGREEMENT WITH THE ARIZONA
DEPARTMENT OF TRANSPORTATION; PROVIDING
FOR THE RECEIPT AND DISBURSEMENT OF
FUNDS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX
as follows:

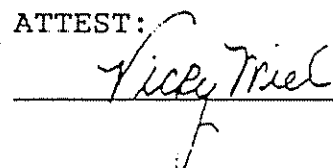
SECTION 1. That the City Manager be and is hereby
authorized to enter into an Intergovernmental Agreement with
the Arizona Department of Transportation for purposes of
installing an advanced guide highway sign on the Squaw Peak
Parkway north of the Thomas intersection.

SECTION 2. That the City Controller be and is hereby
authorized to receive funds for the Arizona Department of
Transportation in an amount of Sixty Three Thousand Dollars
(\$63,000) and to disburse same for purposes of this Resolution.

PASSED by the Council of the City of Phoenix
this 13 day of June, 1990.



MAYOR

ATTEST:


City Clerk

APPROVED AS TO FORM:

.ACTING

City Attorney

REVIEWED BY:

ASSISTANT


City Manager

REC'D JUN 13 PM 1:23
CITY OF ... DEPT.

APPROVAL OF THE CITY ATTORNEY

I have reviewed the proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and the CITY OF PHOENIX and declare this agreement to be in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 22 day of March, 1989⁹⁰


ACTING City Attorney



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert K. Corbin

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A.G. Contract No. KR89-2129 TRD, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 25th day of July, 1990.

ROBERT K. CORBIN
Attorney General

A handwritten signature in dark ink, appearing to read "James R. Redpath", is written over the printed name and title of the Chief Counsel.

JAMES R. REDPATH
Chief Counsel
Transportation Division